

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANTHONY STEVEN LOBOS-RUIZ, et al.,

Defendants.

Civil No. 21-00267 (ADC)

OPINION AND ORDER

Before the Court are defendants Anthony Steven Lobos-Ruiz (“Lobos”), Jordany Rafael Laboy- García (“Laboy”) and Christian Yamurie Rivera Otero (“Rivera”) (“Defendants”) motion to dismiss Counts One and Two of the indictment. **ECF Nos. 129, 134, 140, 143, 152.** The Government filed its opposition at **ECF Nos. 147, 158.**

The Court referred the matter to Magistrate Judge Bruce J. McGiverin for a Report & Recommendation (“R & R”). **ECF No. 142.** On July 21, 2022, the Magistrate Judge issued an R & R. **ECF No. 169.** To date, no objections has been filed.

To “accept the unopposed Report and Recommendation, the Court needs only satisfy itself that the Report and Recommendation contains no ‘plain error’ on the face of the record.” *United States v. Pomales-Arzuaga*, 319 F. Supp. 3d 578, 582 (D.P.R. 2018) (citations omitted).

Upon careful review of the record and the contents of the R & R, the Court finds that the Magistrate Judge aptly discerned the pertinent facts, correctly applied the apposite law, and addressed defendant's arguments in full. *See generally* **ECF No. 169**. The Court therefore can find no plain error on the face of the record. *Pomales-Arzuaga*, 319 F. Supp. 3d at 582.

For the reasons above, the Court **ADOPTS** the unopposed R & R (**ECF No. 169**) (and herein incorporates it by reference in full) and **DENIES** defendants' motions to dismiss Counts One and Two of the Indictment. **ECF Nos. 129, 134, 140, 143, 152**.

SO ORDERED.

At San Juan, Puerto Rico, on this 23rd day of August, 2022.

S/AIDA M. DELGADO-COLÓN
United States District Judge